

REMARKS/ARGUMENTS

Claims 11-16 stand in the present application, claims 11 and 13 having been amended. Applicants note with appreciation the Examiner's allowance of claims 12, 15 and 16, but respectfully submit that in view of the above-described claim amendments and the following remarks that all of claims 11-16 are now in condition for allowance. Accordingly, reconsideration and favorable action in this case is respectfully requested.

In the Office Action, the Examiner has rejected claim 11 under 35 U.S.C. § 102(b) as being anticipated by Yamada et al. In view of the above-described claim amendments to claim 11, the Examiner's § 102 rejection of the claim is believed to have been overcome, as will be described in greater detail below.

As noted above, Applicants have amended claim 11 by clarifying that the alignment layer of claim 11 is not provided overlying the columnar spacer. As shown in Figure 5A of Yamada, the alignment layer 5b covers each column 7. In contrast, Applicants invention as illustrated in Figure 1 has an arrangement such that the columnar spacer 10 is not covered by the alignment layer 8. In such an arrangement where the alignment layer does not cover the columnar spacer 10, the cell gap between the substrate can be more accurately formed. The forming of a stable cell gap between substrates is an object of Applicants' invention, as stated in the Summary of the Invention portion of the present specification.

It is respectfully submitted that Yamada, in having the alignment layer 5b formed over the columns 7, cannot achieve a stable cell gap as does Applicants' invention. Accordingly, claim 11, as amended, is believed to more clearly patentably define over the cited reference.

The Examiner has also rejected claims 13 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Tamai et al. in further view of Bahadur (Liquid Crystals 1990). In view of the above-described claim amendments to claim 13, the Examiner's § 103 rejection of claims 13 ad 14 is also believed to have been overcome, as will be described in greater detail below.

As noted above, Applicants have amended claim 13 to more clearly recite that the columnar spacers are provided using only apertures in the black matrix as a mask. It is respectfully submitted that Tamai does not use only the apertures in the black matrix as a mask, as clearly indicated by the presence of photo mask 24 in Figure 1(a). Thus, even if the light shielding film (23) does function to some extent as a mask, it is clear that Tamai requires the additional use of photo mask (24) to perform the exposure process. Accordingly, claim 13 and its dependent claim 14 are believed to patentably define over the cited references, taken either singly or in combination, in view of the above-described further limitation to claim 13.

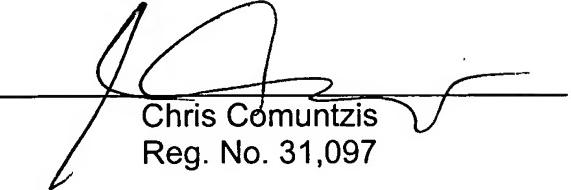
Therefore, in view of the above amendments and remarks, it is respectfully requested that this application be reconsidered and that all of claims 11-16, standing in the application, be allowed and that the case be passed to issue. If there are any other issues remaining which the Examiner believes could be resolved through either a supplemental response or an Examiner's amendment, the Examiner is respectfully requested to contact the undersigned at the local telephone exchange indicated below.

FUJIMORI et al.
Appl. No. 10/791,832
April 28, 2005

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Chris Comuntzis
Reg. No. 31,097

CC:lmr
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100